

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Litroy Bolton,)	
)	
Plaintiff,)	16 C 5012
)	
vs.)	Honorable Judge
)	Guzman
The Sheriff of Cook County, et al.,)	
)	
Defendants.)	

**DEFENDANT OFFICERS' LOCAL RULE 56.1(a)(3)
STATEMENT OF MATERIAL FACTS AND SUPPORTING EXHIBITS**

Defendants Sgt. James Ciukaj and Officers Ramos, Lettiere and Ivory ("Defendant Officers"), by their attorney Kimberly M. Foxx, State's Attorney of Cook County, through Assistant State's Attorney, Megan K. McGrath, submit pursuant to Local Court (LR) Rule 56.1 this statement of facts in support of their Motion for Summary Judgment.

List of Exhibits

Exhibit A	Plaintiff's Amended Complaint
Exhibit B	Plaintiff's Deposition Transcript
Exhibit C	Defendant Officer Ramos' Deposition Transcript, pgs. 37-48
Exhibit D	Defendant Sergeant Ciujak's Deposition Transcript, pgs. 49-52

Parties, Jurisdiction and Venue

1. Litroy Bolton ("Plaintiff") was, on January 17, 2014, a pre-trial detainee at the Cook County Jail ("CCJ"). Plaintiff's Amended Complaint at Docket ("Dkt.") No. 25, attached as Exhibit ("Def. Ex.") A, at ¶6; Plaintiff's Deposition, attached as Def. Ex B, 9:4-7. Therefore, venue and jurisdiction in this court are appropriate.

2. Defendants Sgt. James Ciukaj and Officers Ramos, Lettiere and Ivory are employees of the Cook County Sheriff's Office, and were working at the CCJ on January 17, 2014. Def. Ex. A, ¶ 13.

3. Plaintiff filed his initial Complaint on May 5, 2016 (Dkt. at 1), and filed an Amended Complaint on July 15, 2016. Dkt. at 25.

Statement of Undisputed Material Facts

4. On January 17, 2014, Plaintiff was being transferred to Division 8 of the CCJ, and believed he cell into which he was being transferred was quarantined. Def. Ex. B, 11:7-9, 18:13-16.

5. Plaintiff and Defendant Officer Ortiz had a physical altercation on January 17, 2014. Def. Ex. B, 26:13-28:18, 29:2-20, 30:5-31:9, 31:19-34:6.

6. Defendant Officers Ramos, Ivory and Letierre were not involved in the altercation, but were nearby at the time. Def. Ex. B, 35:2-5, 43:14-19, 88:19-22; Def. Ex. C, 39:18-45:11.

7. Defendant Officers Ramos and Ivory handcuffed Plaintiff after the altercation. Def. Ex. B, 89:8; Def. Ex. C, 45:10-20.

8. Defendant Sergeant Ciujak was not present when the altercation occurred. Def. Ex. D, 52:10-13.

9. The altercation was recorded on video, and according to Plaintiff the video is accurate and showed everything clearly that happed on January 17, 2014. Def. Ex. B, 23:21-24:17.

10. Plaintiff did not have a conversation with any of the Defendant Officers after January 17, 2014 before filing this action. Def. Ex. B, 16:8-13, 17:15-19, 52:15-22.

11. Plaintiff does not believe anyone employed by the Cook County Sheriff's Department took any steps to prevent him from filing this lawsuit at any time. Def. Ex. B, 60:21-61:1.

12. Plaintiff has filed a civil action prior to the instant case. Def. Ex. B, 61:2-24.

13. Plaintiff had beliefs maybe something like a civil lawsuit might come out of his conversations with unidentified Cook County Sheriff's investigators in 2015, but that subject never came up with them. Def. Ex. B, 69:1-11, 70:2-20.

14. At no time between January 17, 2014, and when Plaintiff was discharged from CCJ on February 3, 2014 did anyone tell him they would file a complaint for him about the underlying incident. Def. Ex. B, 72:11-15.

15. The topic of a civil lawsuit as a result of the January 17, 2014, incident never came up in conversations Plaintiff had after he was released from CCJ with investigators from the Cook County Sheriff's Office. Def. Ex. B, 75:18-22.

16. Plaintiff understood when the investigators said they would take care of "everything" it might mean a civil lawsuit, but he never clarified what "everything" meant. Def. Ex. B, 75:23-76:11.

17. Plaintiff never specifically asked investigators he met with in 2015 if they would help him with a civil lawsuit. Def. Ex. B, 84:8-15.

18. Plaintiff never asked anyone who was employed by Cook County or at CCJ to help him file a civil suit related to the January 17, 2014, incident. Def. Ex. B, 84:16-18, 86:19-87:1.

Respectfully submitted,

KIMBERLY M. FOXX

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/s/ Megan K. McGrath

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